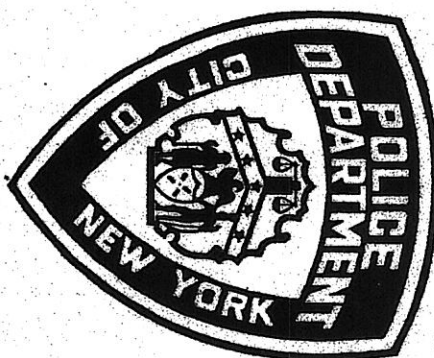


## **EXHIBIT A**



This Certifies That

P.O. Gerold Separta

of the Police Department, City of New York  
has been awarded Departmental Recognition  
in Appreciation of dedicated service  
to the First Precinct



Date February 26, 1993

*D. J. J. J. J.*  
Commanding Officer

## **EXHIBIT B**



**DISTRICT ATTORNEY**  
OF THE  
**COUNTY OF NEW YORK**  
ONE HOGAN PLACE  
NEW YORK, N.Y. 10013  
(212) 335-9000

**ROBERT M. MORGENTHAU**  
DISTRICT ATTORNEY

**April 18, 1995**

**P.O. Gerard Scarta**  
1st Precinct  
16 Ericson Place  
New York, NY 10013

**People vs. Mani Chulpayev**  
Ind. No. 09669/94

**Dear P.O. Scarta:**

On March 14, 1995, defendant Mani Chulpayev pleaded guilty to the crime of bribery in the third degree. The defendant was sentenced on March 14, 1995.

Your efforts were very important to the successful prosecution of this case and I would like to thank you on behalf of this Office and the citizens of the community.

Assistant District Attorney Lisa Feiner was in charge of the prosecution of this case. If you have any questions concerning this case or if you need any further assistance you may contact Assistant District Attorney Feiner at (212) 335-9638 or the Witness Aid Services Unit at (212) 335-9510.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert M. Morgenthau".  
**Robert M. Morgenthau**

## **EXHIBIT C**



POLICE DEPARTMENT  
CITY OF NEW YORK

February 12, 1996

From: Commanding Officer, Manhattan South Narcotics District  
To: Commanding Officer, Narcotics Division  
Subject: RECOMMENDATION FOR PROMOTION OF INVESTIGATOR

1. Police Officer Gerard Scparta, Tax 890978 Manhattan South Narcotics District will be eligible for promotion to Detective Investigator as outlined in the "SCOPE" Category A Investigative Track of Interim Order 27s 90.

2. Police Officer Gerard Scparta was appointed to the Department on July 15, 1986 and assigned to the Organized Crime Control Bureau on November 11, 1994 in an investigative capacity.

3. The results of the officer's last three (3) Evaluations are as follows:

8 Month. 4.0  
15 Month. 4.0  
Annual 4.0

4. Police Officer Gerard Scparta sick record is within Department guide lines for promotion to Detective Investigator and is currently on full duty.

5. Submitted for your consideration.

KJH/ab

Kevin J. Hickey  
CAPTAIN

POLICE DEPARTMENT  
CITY OF NEW YORK

MSND-#60

February 12, 1996

FROM: Commanding Officer, Manhattan South Narcotics District  
TO: Commanding Officer, Narcotics Borough Manhattan South  
Subject: 15 MONTH EVALUATION

1. Police Office Gerard Scparta, tax # 890978, was assigned to the Manhattan South Narcotics District on November 11, 1994. He was appointed on July 15, 1986 and assigned to N.S.U. #1 and then to the 001st Precinct. Police Officer Scparta has been performing investigative duties for approximately 15 months.

2. Officer Scparta has demonstrated his ability to perform as an investigating officer in the Narcotics Division. Since his appointment to this command he has developed an investigative background. Police Officer Scparta has utilized his background to develop and utilize street intelligence to enhance multiple investigations within his pervue. He is able to identify narcotics problems and when needed cultivate confidential informants at various levels to eliminate complaints that arise.

3. This Officer is an asset to both the Narcotics Division as well as this office. His accomplishments have been many and I believe that he has a bright future as an investigating officer.

4. For your information.

Kevin J. Hickey  
Captain

POLICE DEPARTMENT  
CITY OF NEW YORK

September 16, 1994

From: Chairman, Integrity Review Board

To: Police Commissioner

~~Subject: RECOMMENDATION OF INTEGRITY REVIEW BOARD.~~

1. At the September 15, 1994 meeting of the Integrity Review Board, it was recommended that Police Officer Gerard Scparta shield # 31201, tax registry # 890978, 1st Precinct, be given priority consideration in his request for an assignment to Organized Crime Control Bureau, when the needs of the service permit.

2. Police Officer Scparta was interviewed September 1994 and found acceptable for an assignment to Organized Crime Control Bureau.

3. It was further recommended that in the event Police Officer Scparta is transferred to Organized Crime Control Bureau, said transfer be highlighted in the Personnel Order as an award granted by the Integrity Review Board

dn/

*John F. Timoney*  
for John F. Timoney  
Chief of Department

cc: 1st Deputy Commissioner  
Chief of Personnel  
C.O., E.R.S.

APPROVED

*William J. Bratton*  
NOV 8 7 1994  
POLICE COMMISSIONER



## **EXHIBIT D**

May 3, 2019

Honorable Alison J. Nathan  
United States District Court  
Southern District of New York  
Thurgood Marshall- United States Courthouse  
40 Foley Square  
New York, NY 10007

Regarding: United States of America—v—Gerard Scparta

Dear Judge Nathan:

My name is Gerard Scparta and I write this letter with a great deal of shame and remorse about my bad decisions. I am a former NYPD officer. My law enforcement training makes this easy for me to understand. I violated the law. Now I must accept my punishment with humility and grace. What I did was criminal and there is no excuse for my conduct. Knowing that justice will be done, I can focus on a process of atonement. I know that I will spend the rest of my life making amends and restitution.

As you deliberate over my sentence, I hope you will take my entire life into consideration. I wrote this narrative as a first step towards reconciliation. I know that I must take many more steps to make things right. This path begins with a full acceptance of responsibility. I have spent countless hours reflecting on how I got here and what went wrong. I hope this letter serves to put my illegal actions into a broader context.

#### Background

I was born on December 23<sup>rd</sup>, 1964 to a single mother with alcoholism. Growing up, it was just the two of us in a one-bedroom apartment on Staten Island. Even though my mother was an alcoholic, she was still my hero. She could've given me up for adoption, but instead she worked two jobs: J.C. Penny and cleaning houses. We never had much money, but I know she loved me with all her heart. We even had a song "Me and You Against the World."

On top of the financial pressure, I also think my mother was lonely. This contributed to her alcohol abuse. I could never have friends over because I didn't want them to see my mom drunk. I remember my mom drunk on many occasions, but one time stands out more than others. When my wife and I had our first child, Alyssa, I remember my mom being extremely intoxicated. I did not think they were going to let my mother in to see my newborn baby. In 1997, my mother lost her battle to breast cancer. Her death devastated me.

## **Education**

From kindergarten through 5<sup>th</sup> grade I attended P.S. 30 on Staten Island, New York. Then from 6<sup>th</sup> through 8<sup>th</sup> grade I attended I.S. 51 Annex on Staten Island. Beginning in September 1978, I attended Port Richmond High School until my graduation in June, 1982.

## **Family**

My best friend growing up was Lenny Ragaglia. Lenny came from a big family with eleven siblings. Even with a family that size, I was still invited over for dinners. I met his sister Maureen, who I began dating and eventually married in February of 1990.

We bought our first home on Staten Island and had our first child, Alyssa, that year. Lenny went from my best friend to my brother-in-law. The Ragaglia family had a Sunday dinner tradition where we all gathered at Maureen's parents' home. I spent most of my young adult life with Lenny Ragaglia and his entire family. I have carried on this tradition with my own family.

Maureen and I are blessed with six wonderful children. They have each chosen service professions and I could not be prouder. My 28-year old daughter, Alyssa, graduated from Saint Thomas Aquinas College and became a teacher. Two years ago, she married a United States Marine.

My 27-year old son, Gerard, joined the U.S. Marines after high school. He served five years with one deployment as Military Police K9 Handler. He is currently an active NYPD officer. My daughter, Brianna (25), is now teaching in our hometown after graduating from Saint Rose College.

My daughter Jenna (24) graduated from Pace University and is now a nurse at White Plains Hospital. Her brother, Joseph (23), graduated from Washingtonville high School then became an EMT for the FDNY. My youngest son, Nicholas (20), graduated from Orange County Community College and is now a custodial worker for the Board of Special Education.

## **Career**

From 1982-1986, I was an electrical apprentice. On July 15<sup>th</sup> 1986, I was sworn in to the NYPD. I graduated from the academy on December 29<sup>th</sup>, 1986, and worked at N.S.U. in the 7<sup>th</sup> Precinct. In July of 1987, I was assigned to the 1<sup>st</sup> Precinct in Manhattan.

In Summer of 1989, I was assigned to the 1<sup>st</sup> Precinct Scooter Task Force. We enforced details, demonstrations and precinct conditions. Serving as a police officer was my dream job. Not only was I good at it, but I could not even imagine doing anything else.

In 1988, my partner and I were waved down by civilians to an apartment fire on the corner of Canal and West Broadway. We were first on the scene. We ran in and evacuated the building before the fire department arrived. There were no injuries. I received a medal for this day.



In 1993, my partner and I responded to the first World Trade Center attack. We helped evacuate the buildings. While doing so, I observed a man fall to the ground. Many other people were stepping on him as they came down the stairs. My partner held onto the wall with one hand, and me with the other so I was able to reach the man and pull him to safety. I was sent to the hospital with smoke inhalation, but signed myself out to continue with the rescue. I received an award for this day. I have attached a copy of this award.

On May 4<sup>th</sup> 1994, I was offered a bribe by a food vendor. He offered me money to issue summons to his competitors. I immediately notified my supervisor and Internal Affairs who started a control pad. On July 12<sup>th</sup> 1994, I made an arrest on eight counts of bribery in the 3<sup>rd</sup> degree.

I was in the newspaper and on television for this arrest. My saying was "you can't buy the badge." Because of this arrest, I was granted an interview with the Integrity Review Board. I was awarded a promotional transfer to Organized Crime Control Bureau (Narcotics). I have attached this paperwork.

On November 11<sup>th</sup> 1994, I transferred to Manhattan South Narcotics. While there, I made many arrests and executed many warrants. For the fifteen months I served there, I maintained a 4.0 evaluation. On February 12<sup>th</sup> 1996, I was approved to be appointed Detective Investigator for NYPD. I have attached this paperwork.

Not long after, I was doing a buy and bust operation where I chased a perpetrator through the streets of Manhattan. During this pursuit, I was struck by a yellow taxi cab and received a career-ending knee injury. I was never able to be promoted to detective. All my hard work and dreams were taken away from me in an instant.

I am proud of my years of service in law enforcement. I remain grateful to New York City for that extraordinary opportunity to serve. I am happy that my children have gone into public service. My entire family loves America and respects the law. I have no excuse for my illegal actions in this case. I know better than anyone the importance of obeying the law. I am responsible for my own actions.

### **Struggles**

After my 1996 accident, I had surgery on my knee and was put on restricted duty. I was not able to earn enough overtime pay, which I relied on to support my family. This was the beginning of my financial troubles. At the same time, my mother was receiving hospice care. She was living with me, my wife, and five of my children.

The last two days of my mother's life were spent in the hospital with me. She did not want to die in front of my children. I watched my hero take her last breath. I became very depressed



between losing my mother and my career all at once. This is when I began drinking heavily to numb the pain.

On September 11<sup>th</sup> 2001, as soon as I heard what was happening, I headed to the World Trade Center. The World Trade Center meant a lot to me before this day. I got engaged there and was present for the first attack in 1993. Even though I had retired, I joined the rescue crew. I was also looking for my best friend and brother-in-law, Lenny Ragaglia, an FDNY firefighter.

While working on the pile, I saw things there that I had never seen before. We found a passenger still seat-belted into his chair from one of the airlines. He was burnt. I also encountered a shoe with a foot still in it, amongst many other body parts. I now think about death all the time. The things I saw and the body bags I filled will be with me forever. Like many other rescue workers, this experience was a traumatic shock for me.

Unfortunately, Lenny's remains were never recovered. We buried an empty casket. Every family member put one special object in the casket. Besides watching my mother die, one of the hardest things I have ever done was to give Lenny's eulogy. I still celebrate both of our birthdays in quiet remembrance. I spend both of these days sitting at the cemetery drinking and talking to him. This is not counting every September 11<sup>th</sup> when the entire family gathers there.

### **My Down Fall**

After retiring from the NYPD, I faced financial stress. Our bills were piling up. We were buying groceries and diapers with our credit cards. Along with that, my wife informed me she was pregnant with our sixth child.

At this point, two former colleagues and so called "friends" approached me. They asked me how long I would be able to survive living off my credit cards. They told me I was entitled to social security because I put into it. They told me that I should get it now when I needed it the most.

It was bad advice. I should not have agreed to it. I am so disappointed in myself for making this bad choice. I have no one to blame but myself. I am completely responsible for my own decisions.

Later, I made another bad decision. While receiving social security disability benefits, I started working again. Providing for a household of eight people, I fell behind. I wanted to get a job and stop receiving disability benefits. When I called my former "friends" to ask how to go about it, they told me it would be a red flag. They pressured me not to "ruin it for everyone else." I should not have bent to their pressure. I should not have followed their advice. I should have followed the law.

Around 2004, I began working at the Hustler Club as a security guard then eventually became a host. As host, the club gave me cash at the end of the night minus various customary

deductions and gratuities. At the end of the year, the club gave me a letter which reflected total income without subtracting those nightly extras. So, I reported what I thought was the fair amount for tax purposes.

I do know that other hosts of Hustler are now suing the club for that 35%. Hosts from other clubs have already settled their lawsuits. These lawsuits are being handled by the law firm of Outten and Golden. I am telling you all this hoping you will see I am not a greedy person, but a foolish one.

I truly wanted to stop receiving disability benefits for many years. I knew what I was doing was wrong, but did not know how to stop it without getting in trouble. This terrified me. It only increased my anxiety and depression. This terrible secret filled me with dread. I felt paralyzed with fear and shame.

Finally, in December 2016, I could not take it anymore. I called Social Security and reported that I was working. Since I was not getting paid by checks and my income varied every week, they would not stop my checks right away. Instead, I closed my bank account so there was no place for the check to be sent to. It went back to social security and I never again received another check.

I wish I would have been honest with the Social Security Administration from the beginning. I spent many years with a tortured conscience. A long series of traumatic events only created more emotional chaos and isolation. After so many years of torment, I look forward to a new serenity. By being honest about my mistakes, I can clear the way for a more peaceful future.

### **Remorse**

Your Honor I am deeply remorseful for all of my actions. I take full responsibility for all of my bad decisions. I am very sorry to all of my victims especially the United States Government and Social Security Disability System. I am also heartbroken over what I did to my family. I told so many lies to my wife that I lost track of the truth. To my kids starting their careers, I have disgraced their name by my actions. My crimes will be on the internet forever. This I deeply regret and will have to live with for the rest of my life.

### **Redemption**

Following my arrest last April, I lost my job. Since then, I have been focusing primarily on getting my life back on track. I am currently in therapy for depression, anxiety, and PTSD. I have also been attending AA meetings in order to maintain healthy coping skills. Staying sober will be essential for me to become a happy, productive citizen when this process is over.

On June 18<sup>th</sup> 2018, I was hired by Cadre Investigative Consultants PI. I work as a security guard in Midtown Manhattan. My hours are Monday-Friday from 3:00pm until midnight. On Saturdays I work from 7:00am until 7:00pm. I travel by bus, two hours each way. Knowing my

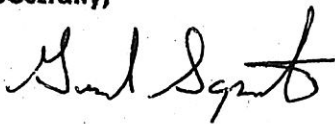


legal problems, I am extremely grateful that Cadre still hired me. This is one of the many steps in the right direction.

Once again, I would like to say how sorry and remorseful I am for all of my actions and bad decisions that led me to my arrest. I hope my story serves as a warning to anyone who feels like they can cheat the system with impunity. Law enforcement officers have an even greater responsibility to follow the law. In the future, I hope I can use this painful experience to help others avoid my mistakes.

As you consider my sentence, please have mercy on me.

Respectfully,

A handwritten signature in black ink, appearing to read "Gerard Scparta". The signature is written in a cursive, flowing style with a large initial "G" and a long, sweeping tail.

Gerard Scparta